

II. Administrative processes

3. New closure of, or a discharge from a regulated UST (on or after November 4, 2009)

Action	When	Forms	Fees	Other sources of info	Rule citations
Hire an LSRP and notify Department of LSRP retained and Notify the Department of your intent to close a regulated UST Note- a firm and individual certified in tank closure must be used to close the tank system(s)	Prior to closure of UST At least 14 days prior to the closure of an UST system	LSRP Retention or Dismissal Form Closure Notification/ Extension Request of an Underground Storage Tank System Form or apply on-line at www.njdeponline.com	None None	Submit to: NJDEP Case Assignment/Initial Notice PO Box 434 Trenton, New Jersey 08625-0434 Link to list of LSRPs with temp licenses	7:14B-9.2(d)2
Notify Department of tank closure and intent to delist tank registration	7 days after tank closure	UST Facility Certification Questionnaire	None	Submit to: NJDEP Tank Registration and Billing PO Box 028 Trenton, New Jersey 08625-028	7:14B-2.4(c)
UST closure <u>without</u> a discharge					
UST closure with Remedial Action Outcome (RAO) Submit: <ul style="list-style-type: none"> • SI report • CID • RAO • Fee 	November 26, 2010 or 270 days after the closure of the UST system	PA/SI Report Form CID Form RAO Form Annual Remediation Fee Reporting Form	\$450	Technical Guidance CID Guidance Fee Guidance RAO Guidance	7:26E-3 7:14B-9.5 7:26C-6 7:26C-4.2
UST closure <u>with</u> a discharge or discharge detected from an UST system					

Notify the hotline	Immediately after discharge is identified	None	None	1-877 WARNDEP or 1-877-927-6773	7:26E-1.4(b)
Submit written documentation of the discharge	Within 5 days after discovering a discharge	Confirmed Discharge Notification Form	None	Submit to: NJDEP Case Assignment/Initial Notice PO Box 434 Trenton, New Jersey 08625-028	7:26E-1.4(d)
UST closure, Remedial Action Report (RAR) with Remedial Action Outcome (RAO). If there was a discharge and <u>no</u> additional remediation is required. Submit: <ul style="list-style-type: none"> • RAR • CID • RAO • Fee 	270 days after the closure of the UST system(s)	RA Report Form CID Form RAO Form Annual Remediation Fee Reporting Form	\$450	Technical Guidance CID Guidance Guidance for the Issuance of RAOs Fee Guidance	7:14B-8.3(d) 7:26E-6 7:26C-6 7:26C-4.2
UST closure with a discharge and additional remediation required. Submit: <ul style="list-style-type: none"> • RIR with either RIWP or RAW • CID • Receptor Evaluation • Fee 	270 days after the closure of the UST system(s) Proceed without Department pre-approval (except when permits are required)	RI Report Form RAW Form CID Form Receptor Evaluation Report Form Annual Remediation Fee Reporting Form	Annual fee based on the # of AOC and media affected	Technical Guidance CID Guidance Fee Guidance Receptor Evaluation Guidance	7:14B-8.3(d) 7:26E-4 7:26E-6 7:26C-4.2
Continue to conduct remediation pursuant to the Technical Rules .		Person responsible may proceed to later remedial phases but must ensure that all regulatory and mandatory timeframes are met. Proceed without Department pre-approval, except when permits are required.			7:26E and 7:26C
Remedial Investigation Report (RIR) and Remedial Action Workplan (RAW), if not previously submitted.	NA Proceed without Department pre-approval (except when permits are	RI Report Form RA Report Form CID Form	Submit annual fee to Treasury with invoice when billed	Technical Guidance CID Guidance Receptor Evaluation Guidance	7:26E-4 7:26E-6

Submit: <ul style="list-style-type: none"> • RIR • RAW • CID • Receptor Evaluation 	required)	Receptor Evaluation Report Form			7:26E-1.15-1.19
Remedial Action Report (RAR) with RAO for unrestricted remedial actions (no permits required). Submit: <ul style="list-style-type: none"> • RAR • CID • Receptor Evaluation • RAO 	NA Proceed without Department pre-approval	RA Report Form CID Form Receptor Evaluation Report Form Response Action Outcome Form	Submit annual fee to Treasury with invoice when billed	Technical Guidance CID Guidance Receptor Evaluation Guidance Fee Guidance Guidance for the Issuance of RAOs	7:26E-6 7:26E-1.15-1.19 7:26C-6
Remedial Action Report (RAR) for limited restricted and/or restricted remedial actions (permits required). Submit: <ul style="list-style-type: none"> • RAR • CID • Receptor Evaluation • RA Permit Application for soil and/or ground water permits 	NA Proceed without Department pre-approval (except when permits are required)	RA Report Form CID Form Receptor Evaluation Report Form Remedial Action Permit Application Form for Soils Remedial Action Permit Application Form for Ground Water Ground Water Monitoring Plan Spreadsheet CEA/Well Restriction Area (WRA) Fact Sheet form	Submit annual fee to Treasury with invoice when billed \$550 \$750	Technical Guidance CID Guidance Receptor Evaluation Guidance Fee Guidance Guidance for the Issuance of RAOs Remedial Action Permit for Ground Water CEA Guidance Remedial Action Permit for Soils Cost Guide	7:26E-6 7:26E-7 7:26E-8 7:26E-1.15-1.19 7:26C-6
When remediation is complete file the RAO with the Department.	When applicable remediation action permits have been issued by the Department	Response Action Outcome Form	Ensure all, oversight costs, annual and permit fees are paid	Guidance for the Issuance of RAOs	7:26C-6 7:25C-4.7(c)4

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- **FAQs on this topic below**

1. If you have an existing case that had a new discharge after November 4, 2009, can you incorporate the new discharge into the existing case?

A new discharge may be incorporated into an existing case when a discharge occurs at the same AOC (location) as the original discharge and the same party is responsible for conducting the remediation. The person responsible for conducting the remediation may submit a request to incorporate a new discharge into an existing case. The request must describe why the new discharge should be incorporated, and include the PI number, the case numbers, and the name of the existing case manager. If the person has not been continuously conducting remediation for an existing case, the Department may deny the request to incorporate the remediation of a new discharge. The request should be sent in to Kirstin Pointin-Hahn, Bureau Chief at:

Bureau of Case Assignment and Initial Notice
401 East State Street
P.O. Box 434
Trenton, New Jersey 08625-0434

The final decision on these requests will be made by Kirsten after consulting with the assigned case manager case.

If the new discharge occurs at a different AOC (location) on the site or there is a new remediating party it will be considered a new case. As a new case the remediating party must hire a LSRP and following the new case requirements.

2. Are tank closure reports still required to be submitted within 120 days for sites where a tank closure/discharge occurred prior to 11-4-09?

N.J.A.C. 7:14B-9.5(a) has been revised to indicate that the Site Investigation Report is due 270 days from date of tank closure/discharge.

3. Is a person certified in the “Closure” category of service of pursuant to N.J.A.C. 7:14B-13.2(b)3 required to close a regulated underground storage tank (UST) after November 4, 2009?

A person certified in the category of service of “Closure” is required to perform all physical activities related to the removal or abandonment of a regulated underground storage tank system before AND after November 4, 2009. This includes all activities from breaking ground until the excavation is filled or until the site falls under the on-site supervision of a subsurface evaluator (prior to 11/4/09) or under the supervision of a licensed site remediation professional (LSRP) (on or after 11/4/09). A person certified in subsurface evaluation, or the LSRP or their designee (as applicable to the time of UST closure noted above) must be on-site to determine the presence and extent of contamination.

Changes were made to the Underground Storage Tanks rules, N.J.A.C. 7:14B on November 4, 2009 relative to UST closure. The Department did not intend to eliminate the “Closure” category of service. The changes made to these rules at N.J.A.C. 7:14B-1.8 and 9 allow LSRPs to oversee remediation activities associated with tank closure including: preparing workplans, collecting soil samples, determining the presence or absence of contamination, determining the extent of contamination, and preparing remediation reports, etc. During UST closure, a LSRP should be work in concert with a person certified in tank “Closure” in the same manner that subsurface evaluators have worked with individuals certified in “Closure”. Changes will be proposed to the UST Rule to further clarify this issue.

- Other quick reference guides: under development
 - Immediate Environmental Condition (IEC) requirements
 - Free Product Removal requirements
 - Remedial Action Permits
 - Discharge Permits

- UST out of service - extension

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